IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.40995-M of 2006
Date of Decision:- 06.09.2007

Ashu Sudon ....Petitioner(s)

through
Mr.Sameer Sachdeva, Advocate

vs.

Nilesh Sudon & ors. ....Respondent(s)

through
Mr.S.R.Verma, Advocate.

Mr.R.P.Verma, Advocate.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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1) Whether Reporters of the local papers may be allowed to see the judgment?
2) To be referred to the Reporters or not?
3) Whether the judgment should be reported in the Digest?

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SURYA KANT, J. (ORAL)

The prayer in this petition is for quashing of F.I.R.No.152 dated 17.3.2006 under Sections 406/498-A IPC, registered at Police Station, Manimajra, Chandigarh as well as all the consequential proceedings arising therefrom.

The above-stated F.I.R. has been registered on the complaint of none else than the petitioner herself. She was married to respondent No.1 on 30.1.2005. However, due to temperamental differences, they started living separately which led the petitioner to get the impugned F.I.R. registered against respondent No.1 and his family members.

Meanwhile, with the intervention of the respectables, the parties have resolved their dispute in terms of compromise deed dated 16.7.2006 (Annexure P-2).

There is no denial to the fact that as per the compromise, the marriage between the petitioner and respondent No.1 already stands dissolved by a decree of divorce by mutual consent. Thereafter, the petitioner herself appeared before this Court on 31.5.2007 and made a statement in support of the prayer made by her in this petition. In her deposition, she acknowledged the contents of the compromise between the parties.

Having heard learned counsel for the parties and keeping in view the fact that the matrimonial dispute has been genuinely compromised by them and also having regard to the principles laid down by the Apex Court in the case of **B.S.Joshi & others vs. State of Haryana & another**, 2003 (2) RCR (Crl.) 888 SC and a Full Bench of this Court in the case of **Kulwinder Singh & others vs. State of Punjab & another**, (Crl.Misc.No.33016-M of 2007 decided on 8.8.2007), this petition is allowed. The impugned F.I.R.No.152 dated 17.3.2006 under Sections 406/498-A IPC, registered at Police Station, Manimajra, Chandigarh as well as all the consequential proceedings arising therefrom are hereby quashed.

September 06, 2007 **(SURYA KANT)**
poonam **JUDGE**